

AMENDMENTS TO LB 22

Introduced by Council

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. (1) Nothing in sections 1 to 7 of this act  
4 shall be construed to require a provider of health insurance  
5 coverage or health benefits to provide coverage for abortion  
6 services.

7           (2) Nothing in sections 1 to 7 of this act shall be  
8 construed to prohibit a provider of health insurance coverage or  
9 health benefits from providing coverage for abortion services in  
10 accordance with such sections.

11          Sec. 2. If a provider of health insurance coverage or  
12 health benefits provides coverage for abortion services, such  
13 provider shall not use any amount attributable to any of the  
14 following for purposes of paying for such services:

15          (1) A credit received under section 36B of the Internal  
16 Revenue Code of 1986, as amended, or any advance payment of  
17 a credit received under section 1412 of the federal Patient  
18 Protection and Affordable Care Act, Public Law 111-148; or

19          (2) A cost-sharing reduction under section 1402 of the  
20 federal Patient Protection and Affordable Care Act, or any advance  
21 payment of a reduction received under section 1412 of the act.

22          Sec. 3. (1) (a) If a provider of health insurance coverage  
23 or health benefits provides coverage for abortion services, such

1 provider shall collect from each insured, regardless of the  
2 enrollee's age, gender, or family status, a separate payment  
3 for each of the following:

4 (i) An amount equal to the portion of the premium to be  
5 paid directly by the insured for coverage other than coverage for  
6 abortion services; and

7 (ii) An amount equal to the actuarial value of the  
8 coverage for abortion services.

9 (b) The provider shall deposit the payments collected  
10 pursuant to subdivision (a) of this subsection into separate  
11 allocation accounts as provided in section 4 of this act.

12 (2) If an insured's premium for coverage is paid through  
13 a payroll deposit, the separate payments required to be collected  
14 pursuant to subdivision (1)(a) of this section shall each be paid  
15 by separate payroll deposit.

16 Sec. 4. (1) A provider of health insurance coverage or  
17 health benefits that collects payments pursuant to subdivision  
18 (1)(a)(i) of section 3 of this act shall deposit such payments into  
19 a separate account consisting solely of such payments and that is  
20 used exclusively to pay for services described in such subdivision.

21 (2) A provider of health insurance coverage or health  
22 benefits that collects payments pursuant to subdivision (1)(a)(ii)  
23 of section 3 of this act shall deposit such payments into a  
24 separate account consisting solely of such payments and that is  
25 used exclusively to pay for services described in such subdivision.

26 Sec. 5. A provider of health insurance coverage or health  
27 benefits shall estimate the monthly cost per insured, determined

1 on an average actuarial basis, for including coverage for abortion  
2 services as described in subdivision (1)(a)(ii) of section 3 of  
3 this act. In determining such estimate, the provider:

4 (1) May take into account the impact on overall costs of  
5 the inclusion of such coverage, but shall not take into account  
6 any cost reduction estimated to result from the coverage of such  
7 services, including prenatal care, delivery, or postnatal care;

8 (2) Shall estimate such costs as if the coverage for  
9 abortion services was included for the entire population covered;  
10 and

11 (3) Shall not estimate such costs at less than one dollar  
12 per month for each insured.

13 Sec. 6. Nothing in sections 1 to 7 of this act shall be  
14 construed as to relieve any health care provider from providing  
15 emergency services as required by federal or state law.

16 Sec. 7. Sections 2 to 5 of this act shall not apply  
17 to coverage for any abortion which, in the professional judgment  
18 of the pregnant woman's physician, is necessary to preserve the  
19 woman's life or health.